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5 IN THE UNITED STATES DISTRICT COURT
6
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8
9 UNITED STATES OF AMERICA,

No. CR 12-00101 CW

10 Plaintiff,

ORDER FOR PRETRIAL
PREPARATION FOR
CRIMINAL
JURY TRIAL

11 v.

12 VICTOR RODOLFO HERNANDEZ FLORES,

13 Defendant.
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Good cause appearing, it is hereby ordered that:

1. TRIAL DATE

a. Jury trial will begin on **Tuesday, September 4, 2012, at 8:30 A.M.**, in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, California.

b. The length of trial will be not more than **3** days.

2. DISCOVERY

Both sides will comply with the Federal Rules of Criminal Procedure, Crim. L.R. 16-1, and the United States will comply with Brady v. Maryland, 373 U.S. 83 (1963) and United States v. Agurs 427 U.S. 97 (1976).

3. MOTIONS

No pretrial motions, other than motions in limine, will be

1 filed.

2 4. PRETRIAL CONFERENCE

3 a. A pretrial conference will be held on **Tuesday, August**
4 **21, 2012**, in Courtroom 2. It shall be attended by the attorneys who
5 will try the case.

6 b. **Not less than one week prior to the pretrial conference,**
7 counsel shall comply with Crim. L.R. 17-1(b).

8 c. Jury instructions §1.1 through §1.12, §3.1 through §3.10
9 and §7.1 through §7.6 from the most recent Manual of Model Jury
10 Instructions for the Ninth Circuit will be given absent objection.

11 Counsel shall jointly submit one set of additional proposed jury
12 instructions, ordered in a logical sequence, together with a table of
13 contents, using the Ninth Circuit Manual where possible, or Devitt and
14 Blackmar or CALJIC, **not less than one week prior to the pretrial**
15 **conference**. Any instructions on which counsel cannot agree shall be
16 marked as "disputed," and shall be included within the jointly
17 submitted instructions and accompanying table of contents, in the
18 place where the party proposing the instruction believes it should be
19 given. Argument and authority for and against each disputed
20 instruction shall be included as part of the joint submission, on
21 separate sheets directly following the disputed instruction. Counsel
22 for the United States shall submit a verdict form. The attached voir
23 dire will be given to the venire members. Counsel should submit an
24 agreed upon set of additional requested voir dire questions to be
25 posed by the Court. Any voir dire questions on which counsel cannot
26 agree shall be submitted separately. Counsel will be allowed brief
27 follow-up voir dire after the Court's questioning. Any motions in
28 limine should be noticed for hearing at the pretrial conference in

1 accordance with Criminal Local Rule 47-2. Each parties motions in
2 limine shall be contained in a single document. The opposition shall
3 also be contained in a single document.

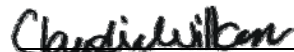
4 5. JURY SELECTION

5 The Jury Commissioner will summon 35 to 40 prospective
6 jurors. The Courtroom Deputy will select their names at random and
7 seat them in the courtroom in the order in which their names are
8 called.

9 Voir dire will be asked of sufficient venire persons so that
10 twelve (plus a sufficient number for alternates) will remain after all
11 peremptory challenges and an anticipated number of hardship dismissals
12 and cause challenges have been made.

13 The Court will then take cause challenges, and discuss hardship
14 claims from the individual jurors, outside the presence of the venire.
15 The Court will inform the attorneys which hardship claims and cause
16 challenges will be granted, but will not announce those dismissals
17 until the process is completed. Peremptory challenges will be made
18 in writing and passed between counsel in accordance with Crim. L.R.
19 24-2 and 24-3. The Court will strike the persons with meritorious
20 hardships, those excused for cause, and those challenged peremptorily,
21 and call the first twelve people (plus alternates) in numerical
22 sequence remaining. Those people will be the jury.

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25 Dated: 6/27/2012


CLAUDIA WILKEN

United States District Judge

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JUROR QUESTIONNAIRE

Please fill out this form as completely as possible and print clearly. Since we want to make copies for the attorneys and the Court, do not write on the back of any page. If you need more room, continue at the bottom of the page. Thank you for your cooperation.

1. Your name: _____

2. Your age: _____

3. The city where you live: _____

How long have you lived there: _____

4. Your place of birth: _____

5. Do you rent or own your own home? _____

6. Your marital status: (circle one)

single married live with partner separated divorced widowed

7. What is your occupation, and how long have you worked in it? (If you are retired, please describe your main occupation when you were working).

8. Who is (or was) your employer?

9. How long have you worked for this employer? _____

10. Please list the occupations of any adults with whom you live.

11. If you have children, please list their ages and sex and, if they are employed, please give their occupations.

1 12. Please describe your educational background:

2 Highest grade completed: _____

3 College and/or vocational schools you have attended:

4 _____

5 _____

6 _____

7 Major areas of study: _____

8 13. Have you ever served on a jury before? _____ How many
9 times? _____

10 If yes: State/County Court _____ Federal Court _____

11 When? _____

12 Was it a civil or criminal case? _____

13 Did the jury(ies) reach a verdict? _____

14 14. Attached is a list of the parties in this case, the law firms
15 representing the parties, attorneys in this case, and persons
16 who are potential witnesses in this case. Do you know, or think
17 you know, any of the persons listed?

18 Yes: _____ No: _____

19 If so, make a check next to their name.

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